SAN FRANCISCO

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By E. A. OLSSEN

You will find that discussion on this bulletin will be difficult to lead unless you have studied it extremely carefully, particularly the part called "Veto to the Victors." Use the bulletin diagram to show the general structure of the world organization and prepare for your group a diagram showing how the Security Council is constituted and how six of its members are elected for a term from the Assembly. Simple diagrams will be not only a help, but a necessity to a clear understanding of the bulletin, and it will help the leader to get a better grasp of the topic if he prepares his own. When your group is clear about how the San Francisco Charter is to work, contrast with it the failure of the organization of the League of Nations—*e.g.*, the lack of any will to apply real sanctions against aggression, America's failure to take active part in the League, &c.—and show how the San Francisco Charter has tried to guard against making these mistakes over again.

You might contrast also the expectations of internationalists with the realization of the San Francisco Charter. What internationalists had hoped for can be summed up as follows :—

They hoped, for instance, that there would be a truly international police force owing allegiance only to an international Government. They wished for an international Judiciary which would have a closer connection with the world organization than the present World Court seems likely to enjoy. They wanted an international Legislature with law-making powers and an executive which would supervise world activities throughout the whole realm of human welfare. Ask the group, then, if they think it would be wise or practicable to transfer to the world sphere the idea of a single Government exercising complete sovereignty with which we are familiar in the case of national States? Are people ready yet to give the requisite degree of loyalty to a world State?

Ask the group what commitments have been ratified by our Government on behalf of New Zealand? (Read "United Nations Conference on International Organization," published by New Zealand Department of External Affairs.)

Parliament has debated the Conference. Did the House approve the Charter? What criticisms were made? See newspaper reports of 8th August 1945.

I

June, 1919 - September, 1939

I. When World War I came to an end people the world over told each other that they had not wanted war, and that somehow the whole four years had been a terrible mistake. The future would be different. No longer would the man in the street—whether in Berlin, London, Washington, or Wellington—tolerate the secret diplomacy of the bad old days; instead, he would insist that diplomacy "proceed always frankly and in the public view" so that the tremendous moral pressure of public opinion might be brought to bear on international politics in the interests of peace. These aspirations for a world in which men and women might live in security, free from the threat of war, found formal expression in the fourteen points which President Wilson announced in his speech of January, 1918. These principles were later incorporated in the League of Nations Covenant, a document which served as preamble to the Peace Treaties of 1919, and which described the machinery to be used in making the common man's aspirations for peace effective. The parties to the Covenant pledged themselves not to resort to war in violation of their commitments, they undertook to maintain "open, just, and honourable relations" with each other, and pledged themselves to unite in resisting aggression.

II. There is no need to catalogue the list of acts, beginning with the Japanese attack on Manchuria in 1931 and ending with the German invasion of Poland in 1939, which spanned the period between World Wars I and II. Nor is there need to catalogue the successions of humiliations which sadly discredited the League long before the final catastrophe. It is more profitable to inquire as to the causes of failure.

Forests have been laid waste to supply the paper on which journalists, economists, theologians, psychologists, and others too numerous to mention have given answers. Some have blamed the idealism of Wilson, others the parochial isolationism of the Senate. Some have traced the root cause to the failure of the Powers to sacrifice their political sovereignty, while others have insisted that the causes were economic rather than political. Some have professed to find the causes in social psychology, and others in human cussedness. The time has arrived when we have to make a decision, and we shall hardly succeed where the men of 1919 failed unless we are aware of the reasons behind their failure. Why, then, did League practice diverge so calamitously from League precept? (In discussing this question you will find C.A.B., Vol. 2, No. 8, "Can We End War," a useful and comprehensive guide.)

II

September, 1939 - April, 1945

I. About two years after the German invasion of Poland, President Roosevelt and Mr. Churchill signed the Atlantic Charter, and declared therein the broad principles for which their countries

were fighting. Other countries at war with the Axis Powers quickly subscribed to this Charter. The succeeding months and years saw relations between Britain, America, Russia, and China undergo a variety of changes, and they were not always changes for the good; but subsequent conferences between leaders and representatives of the United Nations have gone far to remove misunderstandings and suspicions—though it would be idle to pretend that they have been completely removed—and to prepare the way for the establishment of an organization which, it is hoped, will make the aim of world peace effective.

II. The first explicit recognition of the need for a post-war alliance of "peace-loving" nations is found in the Declaration on General Security signed at Moscow on October 30, 1943, when delegates from America, the United Kingdom, Russia, and China recognized

> "the necessity of establishing at the earliest practicable date a *general international organization* on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security."

What form should the organization take? What should be the precise responsibilities of members? What were the lessons to be drawn from the failure of the League of Nations? To answer these and other questions delegates representing the Governments of Great Britain, Russia, America, and China met at Dumbarton Oaks on August 21, 1944. The Conference ended on October 7, and consisted of two separate sittings. The Chinese delegation (headed by Dr. Wellington Koo) did not attend the first session, and the Russian delegation (headed by M. Gromyko, Soviet Ambassador to the United States) did not attend the second. Sir Alexander Cadogan headed the United Kingdom delegation, and Mr. Cordell Hull headed the American delegation.

III. The delegates were authorized to discuss the project of an international organization for the promotion of world peace, and were asked to formulate proposals for submission to their respective Governments. The proposals have since been considered by those Governments, and served as the basis for discussion among the representatives of the United Nations—great and small—at San Francisco. Between the close of the Dumbarton Conference and the opening of the San Francisco Conference the proposals received widespread publicity and criticism.

IV. The date of the opening of the San Francisco Conference was fixed at the Crimea Conference as April 25, 1945. Early in that month, however, a fairly widespread feeling in favour of postponing the Conference became evident. Among the most important reasons advanced was the reported coolness of Russia towards the proposed Conference. It was stated that Stalin had not been keen on the idea when at Yalta. The Russians were reported to have complained that the U.S.A. had refused them post-war credits under lend-lease

terms to the tune of 60,000,000,000 dollars, and that they could see no reason to pursue the ideal of formal international collaboration when practical collaboration of this kind proved impossible. Moreover, Stalin was reported to demand sixteen seats at the Conference for Russia. Whether or not this is true remains uncertain, but he certainly advanced the claims of the Ukraine and White Russia for separate membership of the new World Organization. In principle the claims were admitted by the other Powers, though a difference of opinion apparently arose as to whether they were to be invited to send delegates to San Francisco. Finally, Churchill and Roosevelt blocked the suggestion that the Russian-sponsored Polish Government should represent Poland at the Conference. Partly as a result of these differences, Stalin announced that Russia would not be represented at the Conference by M. Molotov, but by M. Gromyko, Soviet Ambassador to the United States. The decision made it plain that Russia did not consider that the Conference would be effectively concerned with issues of fundamental importance.

In the event, however, many of these difficulties disappeared. Upon Roosevelt's death, Stalin agreed, at President Truman's request, to send Molotov, and Russia showed a willingness to soft-pedal on her claims for Polish representation. The Polish difficulty, however, re-emerged in acute form early in the Conference.

It has been said that one main difficulty in the way of the Conference was the " lack of trust, felt in varying degrees by the principal Powers, in the capacity of the organization they are now creating to function effectually in the years ahead. This lack of trust is most pronounced in the case of Russia." Would you agree ? If so, what explains this " lack of trust " ? How might it best be overcome ?

III

The Dumbarton Oaks Proposals

I. It was proposed that membership of the United Nations should be open to all " peace-loving nations," and that each member of the organization should have representation on a General Assembly. The Assembly was vested with advisory powers, and would presumably serve as a forum for expression of opinion on matters affecting " the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments." It was suggested, however, that the " General Assembly should not on its own initiative make recommendations on any matter relating to the maintenance of international peace and security which is being dealt with by the Security Council " (see page 6). As it was possible for a dispute to be brought immediately before the Security Council, the General Assembly might find itself without the right to make recommendations on any number of disputes ; and, moreover, the Assembly virtually gave up further

right to discuss a dispute the moment it decided to submit the matter to the Security Council. The first clause introduced one of the few references to disarmament which appeared in the proposals. A commentator suggested that " the modesty and the tentativeness of this clause touching what ranked before the war as one of the major problems of international politics indicates very clearly a new orientation." What accounts for this *new orientation*, and how do you regard it ?

The decisions of the Assembly required a two-thirds majority vote where important questions are at stake, and a majority decision in other cases. The Assembly should be entitled to elect six of its members to sit for a two-year term on a Security Council.

It was proposed that the Assembly elect eighteen members to an Economic and Social Council, a body not empowered to make decisions calling for obligatory action by members, but entrusted with the task of making recommendations to facilitate the General Assembly in the discharge of its responsibility to promote " respect for human rights and fundamental freedoms," and of " facilitating solutions of international economic, social, and other humanitarian problems."

The Security Council

II. Apart from the six members elected by the General Assembly, there were to sit on the Council as permanent members representatives of America, Great Britain, Russia, China, and France. The Council would therefore have a total membership of eleven.

This Council, which was to function continuously, was easily the most influential of the organs recommended, and was to bear " the primary responsibility for the maintenance of international peace and security." It was recommended that the Council be empowered to investigate any dispute so as to determine whether its continuance was a danger to peace ; any State, whether a member of the Union or not, might bring notice of a dispute before either Council or Assembly ; and the Council might call upon the parties to settle the dispute by peaceful means of their own choice, and, failing settlement in this way, the disputants might be asked to place the case before the Council. It was also proposed that an International Court be established for the settlement of justiciable disputes, and that the Security Council should be empowered to refer to " the Court, for advice, legal questions connected with other disputes." A conference of world jurists recently sat to consider an appropriate constitution for this Court.

If a dispute which threatened peace were not settled by peaceful means, the Council should determine what diplomatic, economic, or other measures not involving the use of armed force should be used to give effect to the principles of the new World Organization ; and the Council should be empowered to " call upon " the members of the United Nations to co-operate effectively in any action it might decide upon. Should sanctions prove inadequate, armed force might

be used, To this end it was proposed that all members should make available to the Council, " on its call and in accordance with a special agreement or agreements concluded among themselves, armed forces, facilities and assistance necessary for the purpose of maintaining international peace and security." In addition, national air force contingents should be held ready for immediate use should need arise. Plans for the application of these forces should be made by the Council with the assistance of a permanent Military Staff Committee, and this Committee is to comprise the heads of the Chiefs of Staff of the permanent members of the Council. All national forces, however, were to remain under national control.

Regional groupings were to be established " for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the purpose and principle of the Organization." The principle of regionalism was in part accepted on the grounds that " one reason for the failure of the old League of Nations was that disputes everywhere were in its immediate province. Thus, for example, the League's Manchurian Commission had Italian and German representatives, who, because of the lack of Italian and German interests in the Far East, knew little about and had no vital concern with the terrain in question." Do you think this an important reason for the League's failure to act in the case of Manchuria ? What are likely to be the reactions of Australia and New Zealand to the principle of regionalism ?

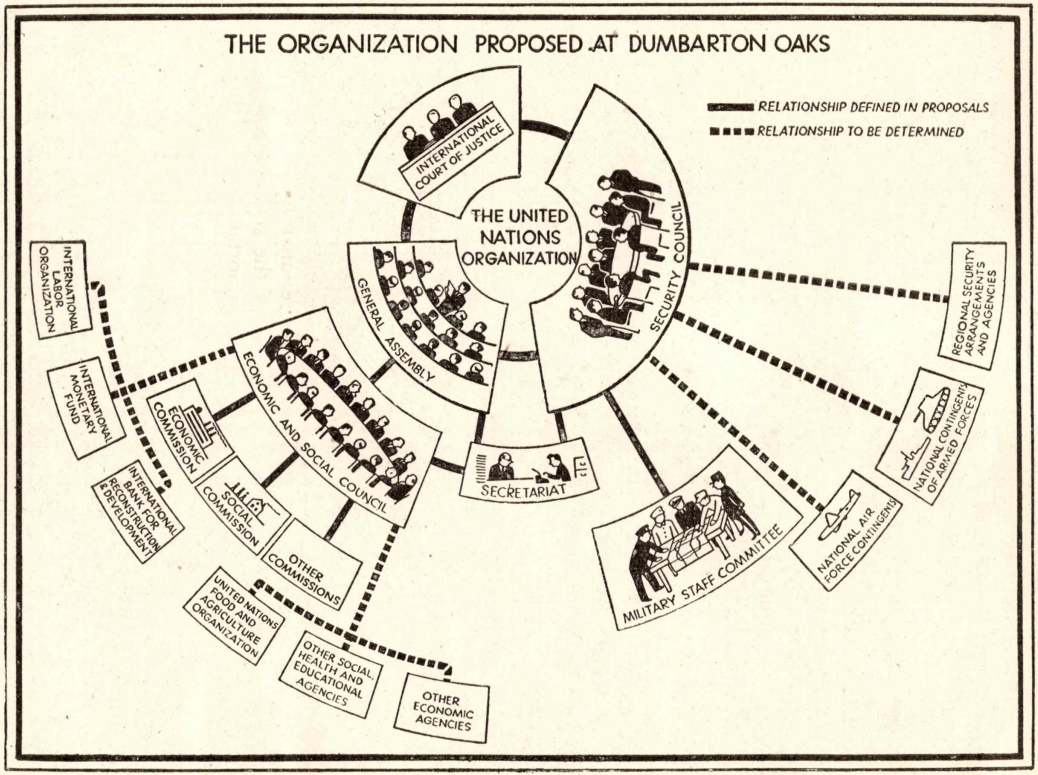
What should be the voting procedure of the Security Council ? Should a unanimous vote be required before a decision to apply sanctions or use force becomes effective ? If the party or parties to a dispute are also members of the Council, should they be entitled to vote on the question ? On these points the delegates to Dumbarton Oaks could arrive at no decision. Do you know the stand taken by the various delegations at Dumbarton Oaks, and the arguments by which each defended its case ?

Finally, the Dumbarton proposals recommended the appointment of a secretariat comprising " a Secretary-General and such staff as may be required." The Secretary-General should be the chief administrative officer of the Organization, and " should act in that capacity in all meetings of the General Assembly, of the Security Council, and of the Economic and Social Council, and should make an annual report to the General Assembly on the work of the Organization."

IV

Veto to the Victors

I. The voting procedure on the Security Council remained undecided when the Dumbarton Oaks Conference ended. The English and American delegations had proposed that the procedure



International organization proposed at Dumbarton Oaks. The proposals were recommended to the Governments of the United Nations by the representatives of China, Great Britain, U.S.S.R., and the United States and released on October 9, 1944.

should be based on the principle of majority vote, provided none of the Great Powers were in the minority; but should any of the Great Powers be parties to a dispute before the Council, then they should not exercise the right of voting in matters affecting the dispute. The Soviet delegation, on the other hand, objected to a Great Power being excluded from voting under any circumstances, and proposed, moreover, that before sanctions could be applied all the Great Powers on the Security Council should be in agreement. This meant, of course, that the Great Powers would be exempt from the threat of sanctions.

The question remained undecided until the Crimea Conference between Mr. Churchill, the late President Roosevelt, and Marshal Stalin. On February 15, 1945, cabled information appeared in our newspapers giving the substance of the agreement then reached. On February 27, however, Mr. Churchill made a speech in the House of Commons in which he stated that, though agreement had been reached on the question of voting procedure, he regretted being unable to give the details until the formula had been assented to by France! Incidentally, it has since become known that the French Government agreed to accept the formula as a basis of discussion at San Francisco, but refused to accept it as a basis for the new World Charter. France failed to win the point, and this is no doubt one important reason why that country refused to act with the Big Four as a sponsor of the San Francisco Conference.

What, then, was the Crimean agreement on this question? Here is the interpretation of an informed observer:—

> "On the matters of procedure the Council requires seven votes—*i.e.*, one permanent member must assent. All decisions of substance require unanimity of the permanent members, but only two out of the six temporary members—*i.e.*, the formers' votes are all-important, whereas the latters' do not matter. When the Council considers whether the existence of a dispute may endanger peace, or what measures to recommend to the parties for settling their dispute, including the reference of it to a regional organization, its decisions again require seven votes, including the five permanent members; but the parties [to the disputes] do not vote. *On the other hand, the Council cannot decide to act in order to put an end to a threat to or breach of the peace except by a vote including all the five permanent members, whether or not any or all of them are parties to the dispute, plus two of the six temporary members.*"

The reaction to this decision was varied. One New Zealand newspaper said that "the Russian contention has triumphed, but it is also a triumph for realism." (What is meant by *realism*?) Another report stated that—

> "a system of this kind may be the best that can be attained at this point in the world's history; but, if so, it will be a system which leaves the most fertile source of large-scale war, a dispute between great Powers, practically untouched."

The Times commented that—

> " the voting formula wears a certain air of artificiality, but the unity of the three leading Powers is the essential foundation of the whole structure. Any vote which divided them on a major issue would inevitably spell the downfall of the Security Council as an effective instrument of world peace."

Mr. Fraser, on the other hand, asked whether the veto exercised by the Great Powers could " possibly be regarded as a sound basis for building a lasting organization ? It is unfair and indefensible and may, if retained and exercised, be destructive not only of the main purpose of international organization, but also of the organization itself." The final decision on the voting procedure on the Security Council, taken at San Francisco and written into the United Nations Charter, was this : each member of the Security Council should have one vote ; decisions on matters of procedure should be made by an affirmative vote of seven members ; decisions on all other matters should be made by an affirmative vote of seven members *including the concurring votes of the Permament Members*. It was provided, however, that in decisions concerning the pacific settlement of disputes, which the Security Council might call upon the parties to settle by pacific means, *a party to a dispute should abstain from voting*. Similarly, a party to a dispute should abstain from voting in a case where the Security Council might encourage the development of the pacific settlement of local disputes through regional arrangements or agencies.

What is your opinion ? Do you think that the prospects for peace would have been improved had the original Anglo-American point of view been accepted ?

San Francisco Tension

A rather strangely worded cable appeared in New Zealand papers on May 23. It stated that " the small nations demonstrated to-day that they disliked the voting procedure arranged at Yalta, and intended to oppose it as soon as they found out what it meant." This seemed to indicate an unusual measure of disagreeableness—even for a political conference ! But in point of fact some of the small nation delegations had begun to suspect that the Yalta (Crimean) voting formula might be open to more serious objection than had yet appeared. Dr. Evatt, leader of the Australian delegation, framed and presented to the Great Powers twenty-two questions which a reading of the Yalta formula suggested to his legal mind. The result proved that suspicions were well founded. Russia, at any rate, made it clear that her interpretation of the Yalta formula enabled any of the Big Five to veto *the peaceful settlement of disputes as well as the application of sanctions, and to veto the right of the Security Council to discuss a question submitted to it*, whether by the General Assembly or by a member State. The United States did not interpret the formula as giving right to veto discussion, but only the power to veto the application of sanctions or use of force. The English delegation appears, in the first instance, to have been divided on

the question, but quickly took its stand by the side of America. The battle of interpretations lasted for some days, and gave rise to a serious situation; at one stage cabled reports hinted that the Conference might break down on this issue. Russia finally modified her interpretation, and has apparently conceded the claim to veto discussion. In the opinion of Dr. Evatt, however, there are still unpleasant ambiguities about the formula. That the Big Five retains the right of veto in the matter of sanctions is beyond question. But it seems possible that the right to veto the peaceful settlement of disputes has been retained.

A San Francisco cable dated June 13, 1945, stated that—

> "In perhaps the most unusual and certainly the most tensely-awaited vote of the United Nations Conference, the Committee dealing with the structure and procedure of the Security Council to-day accepted the Yalta voting formula. This includes the requirement of unanimity among the five Great Powers, and therefore gives each of them the right of veto."

The details of voting are of interest. Three delegates were absent when the question was put. Thirty of those present voted for; two voted against (Columbia and Cuba); and there were fifteen abstentions, including New Zealand and Australia.

At the last moment a group of small and middle Powers informed the Big Five that they would vote for the formula provided that provisions for liberalizing and reviewing the Charter were made, so that they might have another attack on the veto in the not too-distant future. In this, however, they were again disappointed. Future amendments to the Charter are to become effective only on ratification by two-thirds of the members of the World Organization, *including* all the Big Five Powers. This preserves the Big Five veto over changes in the Charter. On this question, too, New Zealand and Australia voted in the minority.

V

A Miscellany of Problems

(*a*) *Territorial Integrity and Aggression.*—The San Francisco Conference enabled the small Powers to bring into the open certain strongly felt criticisms of the proposals framed by the Big Four at Dumbarton Oaks. Early in the Conference Mr. Fraser stated that—

> "The two main deficiencies in the Dumbarton Oaks plan are the absence of definite pledges on the part of members of the World Organization to protect one another against external aggression, and the disproportionate role allotted the small Powers."

It had been decided at Dumbarton Oaks, on the initiative of the British delegation, that the new Charter should give " no guarantee of the territorial integrity of member States, nor of their political independence." This fitted in with the Russian viewpoint that no guarantee should be given to resist *aggression* because of the difficulty in a given case of deciding what constitutes an act of aggression. Towards the end of the Conference Mr. Fraser made a vigorous plea for the adoption by the United Nations of a definite pledge to resist aggression. This precipitated a lively debate, but the Great Powers remained adamantly opposed to writing an unequivocal pledge into the Charter. New Zealand failed by four votes to win a two-thirds majority for the amendment. Should the amendment in your opinion have been carried? Was the territorial integrity of member States guaranteed under the League of Nations Covenant?

(*b*) *Treaties and Sovereign Rights.*—I. The proposal that treaties entered into between nations during the war should be submitted for approval and examination to the international authority was rejected. Speaking on this point, M. Molotov said:—

> " It is obvious that revision would play into the hands of countries who would like to undermine and emasculate these treaties. Any attempt to submit these treaties to an international organization would be tantamount to violating the signatories' sovereign rights."

What do you think of the argument?

However, according to Article 102 of the Charter, as decided on at San Francisco, "every treaty and every international agreement entered into by any member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat " of the Organization and " published by it." No party to any treaty which has not been registered may invoke that treaty before any organ of the United Nations.

II. The first clause in Chapter II of the Dumbarton Oaks proposals stated that—

> " The organization is based on the principles of the sovereign equality of all peace-loving States,"

and this gave rise to two separate criticisms. In the first place it was argued that the sovereign State was an anachronism in the modern world, and that its retention must lead to international chaos. Moreover, it is said that the technological and economic developments of the last century have created a basic international unity, and that political institutions must be brought into line if confusion is to be avoided. The sovereign State, in short, must give way to an international organization which has at its disposal force adequate to impose peace. What do you think?

Both France and China intimated a willingness to accept considerable limitations upon their sovereignty, but given the present attitude of the other three members of the Big Five any likelihood of serious limitations being placed upon sovereign rights is outside

the realm of practical politics. Even the suggestion that a small international air force be created and placed at the disposal of the Security Council found practically no support. But if a super-state were created, would it really solve any problems? Or would the problem of sovereignty be intensified, because only one gigantic Power existed, whose will could not be resisted or held in check? Would you agree that sovereignty in itself is not an evil, nor a necessary cause of war, but that everything depends upon the will and the purpose informing the actions of the sovereign State? In addressing the Council Mr. Stettinius said that "our most important task in the next decade is not the enforcement of peace, but the preparation of an economic and social basis for peace which, if well done, will go far towards eliminating in advance the causes of another world war a generation hence." How can this aim be realized within the framework of a world of sovereign States?

A second problem arising out of this clause refers to the term *peace-loving*. How is this to be defined? Dr. Evatt has argued that no nation which has given help to the Axis since September, 1939, should be admitted to the new League. The Mexican delegation has urged that no Government which was brought into being with the help of an Axis Power should be admitted. And the French delegation argued that the neutral powers should be excluded. How would you define *peace-loving*?

According to Article Two of Chapter One of the United Nations Charter the San Francisco Conference decided that the Organization should be "based on the principle of the sovereign equality of all its members."

(*c*) *Bases and Mandates.*—I. All delegations to the San Francisco Conference agreed upon the need for a Trusteeship Council. The Conference decided that:—

The trusteeship system should "apply to all territories held under mandate, territories which may be detached from enemy States as a result of the Second World War, territories voluntarily placed under the system by the States responsible for their administration."

The Trusteeship Council should consist of (*a*) members administering trust territories, (*b*) such members mentioned by name as members of the Security Council as are not administering trustee territories (Permanent Members of the Security Council are China, France, Russia, the United States, and Great Britain, and six other members are elected for a term), (*c*) as many other members elected for a three-year term as are sufficient to make the members of States not administering territories equal in numbers to the members administering them." Each member should have one vote, and the decision should be made on a majority of the members present and voting.

II. The late President Roosevelt is said to have recommended a system of trusteeships under the control of the new World Organization which should apply to all colonial territories, and which should aim at bringing *backward* peoples to the level of

independence. The Russian and Chinese delegations to San Francisco supported this view, and advocated that the new Organization be given authority not merely to allocate new trusteeships, but also to redistribute the existing mandates and reconsider the whole mandate system established by the League of Nations. Britain and France, however, were uncompromising in their opposition to the principle of international supervision over "all colonial territories," with the result that only former mandates and lands seized from enemy nations will be subject to the Council. Long before San Francisco, indeed, Mr. Churchill had made it plain that the English Government would insist that British colonies must continue to be purely British responsibilities.

III. The former Japanese mandates in the Pacific are perhaps the most important territories to come (as it is presumed they will come) under the supervision of the new trusteeship system, though the existing Australian and New Zealand mandates will also be involved. Although under the old League system mandatory Powers furnished annual reports to the League Mandate Commission, the League exercised no power of inspection. This has long been criticized as a weakness. The Conference decision was that the General Assembly of the United Nations Organization, and under its authority the Trusteeship Council, should consider reports submitted by the administering authorities, including an annual report in answer to a questionnaire, accept petitions and examine them in consultation with the administering authorities, and provide for periodic visits to trust territories at times agreed on by the administering authorities. An American proposal opposed by the British delegation stated that there should be "non-discriminatory treatment in trustee territories with respect to economic and other appropriate civil activities of nations of all member states." The British delegation complained that in a particular case discrimination might be essential to the well-being of a *backward people*, and won assent to the formula that there should be non-discriminatory treatment so far as the United Nations are concerned except where it can be shown that discrimination is necessary to fulfil the principles and purposes of the World Organization. Some commentators have suggested that British opposition is fundamentally, if not explicitly, based on the intention to develop a post-war system of Imperial preference on the lines of Ottawa. Do you think this would be advisable? What would be the likely response of Australia and New Zealand to such a suggestion?

IV. The trusteeship issue was complicated by the close bearing it has on the question of *strategic bases*. America made it clear that one fundamental of her post-war foreign policy would be the control of Pacific strategic bases deemed necessary to her defence, and in many instances these bases would be located on areas under the supervision of the Trusteeship Commission.

Who is to decide what is a strategic base? Russia sought to vest the power of decision in the Security Council, and proposed that the Council should decide which particular Powers should be allowed to establish bases therein. Britain and America successfully opposed the suggestion on the grounds that "Russia or another of the Big Five might veto an area as strategic, although another Power might consider it a vital base." The submission of a proposal by New Zealand and Australia that bases in the South and South-west Pacific should be shared by all States with territories in the region appears to have been coldly received by America.

Article 82 of the Charter, as adopted at San Francisco, deals with this point. It says: "There may be designated, in any trusteeship agreement, a strategic area or strategic areas which may include part or all of the trust territory to which the agreement applies." Article 83 provides that "all functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council" (and not the Trusteeship Council), but it also provides that the objectives with regard to the inhabitants of these territories shall be the same as the objectives in other trustee territories.

V. What should be the long-run policy of the mandatory Power? The Russian suggestion that everything should be done to promote the *independence* of the mandate encountered strong objections, and Britain proposed that the aim should be stated as *self-government* rather than *independence*. This precipitated a debate which lasted two weeks, and on one occasion Mr. Fraser, Chairman of the Trustee Commission, reported that one and a half hours had been spent trying to decide whether *self-government* includes the idea of *independence* when it is listed as an objective for dependent peoples!

The compromise arrived at specifies that members of the United Nations which have responsibilities in the administration of territories accept the following obligations: to ensure political, economic, and social education and advancement of the peoples concerned and their just treatment and protection against abuses; to develop self-government; and to take due account of the political aspirations of the peoples and assist them in the progressive development of their free political institutions, according to the particular circumstance of each territory and its peoples and their varying stages of advancement.

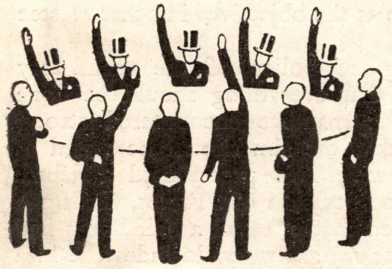
VI

Conclusion

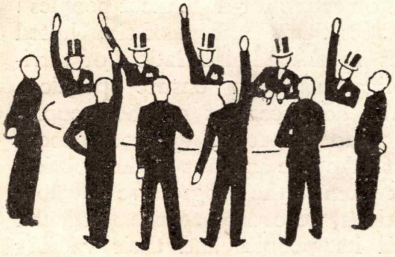
"The paramount problem confronting us is the maintenance of peace. This is a moral problem, not one to be solved by procedure, however carefully and comprehensively devised. The failure of the League of Nations, one of the noblest conceptions in the history of mankind, was a moral failure on the part of its individual mem-

bers. It was not due to any fundamental defect of the League's machinery. The League failed because members would not perform what they undertook to perform, and because of the recession that occurred in public morality in the face of the rising tide of Fascism and Nazism. It failed because the rule of expediency replaced that of moral principles . . . I plead most earnestly that members seek international equity, both political and economic, and in all circumstances keep their pledged word and faith, and never again allow aggression in any part of the world. This is a moment of time which will not recur in our lives, and may never recur. The world may be bound for all time by what we here to-day make of our heavy and onerous responsibility. It is my deep fear that if this fleeting moment is not captured the world again will relapse into another period of disillusion, despair and doom. This must not happen."—The Prime Minister of New Zealand.

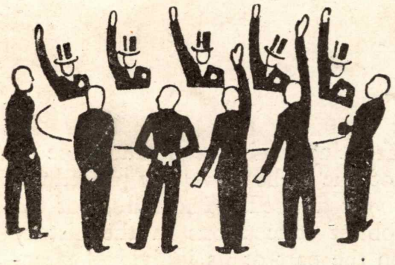
How Security Council voting works on matters of enforcement action



Unanimous vote of Big Five required.



Any one of Big Five can veto.



But vote of seven required, so Big Five alone cannot make war.

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